

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LANDS – Hyderabad District – Marredpally Mandal – Transfer of Rights on certain occupations / encroachments of specified categories of unassigned Government lands – Application of Sri Ghansi Ram S/o Ram Lal for regularization of encroached Government land an extent of 808 Square Yards in Sy. No. 74 of Marredpally Paigah Village and Marredpally Mandal under the provisions of G.O. Ms. No.166, Revenue (Assignments.POT) Department, dated 16.2.2008 – Orders - Issued.

Revenue (Assignments.III) Department

G.O. Ms. No. 670

Dated 22.06.2011.

Read the following :-

- (1) G.O. Ms. No.166, Revenue (Assn.POT) Department, dated 16.2.2008.
- (2) Application No.13992 dated 29.07.2008 of Sri Ghansi Ram S/o Ram Lal.
- (3) Letter No. B/1223/2008, dated .11.2008 of Tahsildar Marredpally Mandal, Hyderabad District.
- (4) Letter No. R2/3762/2009 dated 25.07.2009 and 29.10.2010 and 18.06.2011 of the District Collector – Hyderabad addressed to the Special CS and CCLA.
- (5) Hon'ble High Court Order dated 28.10.2010 in WP No.22443 of 2010 filed by Sri Ghansi Ram.
- (6) From the Special Chief Secretary and Chief Commissioner of Land Administration, Hyderabad Letter No. BB2/1603/2010, dated 21.06.2011.

-:O:-

ORDER :-

Sri Ghansi Ram S/o Ram Lal has put in an Application No.13992 dated 29.07.2008 second read above to the Tahsildar Marredpally Mandal, Hyderabad District requesting for regularization of Government land measuring an extent of 808 square yards in Sy. No. 74 of Marredpally Paigah Village and Marredpally Mandal on payment of cost as per G.O. Ms. No. 166, Revenue (Assn.POT) Department, dated 16.2.2008.

2. In his letter 3rd read above the Mandal Revenue Officer Marredpally Mandal submitted that one Sri Ghansi Ram S/o Ram Lal has applied for regularization of Government land to an extent of 808 Square Yards in alleged Sy. No.74 of Marredpally Paigah Village which is classified as Government land as per the pahani of 1356 (Fasli), the application schedule land is vacant on ground. The applicant has purchased the plot from Seva Mandal Society. The said Society is claiming the Government as Government land as Sy. No. 74/9. But as per survey record there is no such Sy. No.74/9 and they are also claiming this land as assigned land and they have obtained the layout. Therefore, to resolve the dispute the State of Andhra Pradesh has appointed a One Man Commission headed by the former Chief Commissioner of Land Administration (Sri Natarajan IAS) and he enquired and submitted final report in which he made two observations. (1) Government should cancel the assignment allegedly made by the Paigah authorities though an enactment. (2) the Government should regularize the structured area by collecting a percentage of market value.

3. The Tahsildar – Marredpally has also submitted that Government also directed to regularize the illegal occupations (structured area). Subsequently, the State of A.P. represented by MRO – Marredpally has filed L.G. Case No. 167/97 against all Societies and their purchasers also made as Respondents. In that case the applicant was made respondent against Plot No.40 of Seva Mandal Society.

contd.2.

4. It has also been submitted that in the present case, the applicant himself come forward for regularization of his illegal occupation and it is better to consider the application for regularization and it will give the strength to the remaining cases and it may also useful for evidence on behalf of Government. For establishing the possession of the site, Registered Document No.1105 dated 27.2.1990 has been indicated. Construction permission vide No. 158/32 of 2008. Property Tax Receipt No. 4129/2008. With regard to cases LGC No. 167/1997 has been shown. Basic Value of the land as on 31.12.2003 is Rs.3,700/-.

5. The District Collector – Hyderabad vide Letter No. R2/3762/2009, dated 25.7.2009 addressed to the Special Chief Secretary and Chief Commissioner of Land Administration has submitted that the above land was inspected by the Special Deputy Collector (Land Protection) and recommended. The application was placed before the District Level Committee in its Meeting held on 20.06.2009 for the applied area to an extent of 808 Square Yards. The Committee has also recommended the case for regularization and requested to forward the application to the CCLA for placing the same before the State Level Committee headed by the CCLA. The amount payable by the applicant under the provisions of G.O. Ms. No. 166, dated 16.2.2008 indicated as Rs.29,25,636/- (Rupees twenty nine lakhs twenty five thousand six hundred and thirty six only).

6. In the reference 6th read above, the Special Chief Secretary and Chief Commissioner of Land Administration has submitted that the State Level Regularization Committee in its meeting held on 25.07.2009 in respect of the case under reference, it has been observed that the SO-ULC vide Letter No. A4/7094/08, daed 27.7.2009 reported that only the Sy. No. 74/8, 10, 11 are attracted by the 10(6) of the UL (C & R) Ac, 1976. The Sy. No. 74 is a Gut Number (Government land). The Land Grabbing Case is also filed by the Revenue Authorities in ceiling case No. F1/1208/76, Therefore, it has been directed to report about the required information.

7. With regard to the above, the District Collector vide Lr. No.R2/3762/2009, dated 29.10.2010 has submitted that several Coopertive Housing Societies have grabbed the Government lands in Sy. No.74 of Marredpally Paiga and Sy. No. 844/1 of Malkajgiri Village. In pursuance of the One Man Commission report, the then MRO-Marredpally filed LGC No. 167 of 1997 before the Special Court under A.P. Land Grabbing Prohibition Act in Sy. No.74 to an extent of Ac. 202.25 gts of Marrdpally Paiga Village and in Sy. No. 844/1 to an extent of Ac. 27.27 gts of Malkajgiri Village totaling to Ac. 230.12 gts against the Vijayanthi Co-operative Housing Society and 7 other Societies. The Hon'ble Special Court dismissed the LGC No. 167 of 1997 on 18.3.2010. Aggrieved by the above judgment, the Tahsildar Marredpally Mandal has filed WP No. 19106 of 2010 before the Hon'ble High Court and it is pending. With regard to surplus land, the then Tahsildar – Secunderabad without knowledge that the land is a Government land as on that day taken over possession of the surplus land.

8. The District Collector – Hyderabad in his Lr. No. R2 / 3762 / 2008, dated 18.06.2011 reported that as per verification of revenue records there is no sub-division numbers to Sy. No.74 of Marredpally and the said survey number is only gut number of Marredpally Paiga Village and hence no sub-division record has been available in his Office.

9. Sri Ghansi Ram S/o Ram Lal (the applicant under G.O. Ms. No.166 dated 16.2.2008) filed a W.P. No. 22443 of 2010 to declare the inaction of the Government in regularizing Plot No.40 admeasuring 808 Square Yards in Sy. No .74/9, East Marredpally Village, Secundeabad in pursuance of G.O. Ms. No. 166, dated 16.2.2008 as illegal and contrary to the said G.O. The petitioner also sought for a consequential direction to the Government to regularize the said Plot in terms of G.O. Ms. No. 166, dated 16.2.2008.

10. The Hon'ble High Court in its Order dated 28.10.2010 in WP No. 22443 of 2010 directed the Government to dispose of the petitioner's application for regularization in terms of G.O. Ms. No. 166, dated 16.2.2008, within a period of two months from the date of receipt of a copy of the order and communicate the same to the petitioner.

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11. In view of the circumstances, the Special CS and CCLA while furnishing the record of the District Collector, and minutes of the meeting of the CCLA Committee dated 25.7.2009 has requested to take necessary further action in terms of orders dated 28.10.2010 in WP No. 22443 of 2010 filed by the Sri Ghansi Ram (the applicant under the G.O. Ms. No.166, dated 16.2.2008).

12. Government have examined the matter in the light of the policy guidelines issued in G.O. Ms. No. 166, Revenue (Assn.POT) Department, dated 16.2.2008 and after careful consideration of the minutes of the Regularization Committee hereby regularize the Government land measuring an extent of 808 Square yards (675.48 Square Meters) [Plot No.40 of Seva Mandal Society] situated in Sy. No.74, Marredpally Paigah Village, Marredpally Mandal encroached upon by the applicant viz. Sri Ghansi Ram S/o Ram Lal on payment of Rs.29,25,636/- (Rupees twenty nine lakhs twenty five lakhs six hundred and thirty six only) under the provisions of G.O. Ms. No.166, Revenue (Assn.POT) Department, dated 16.2.2008. Since the L.G.Case No. 167 / 1997 filed by the Government has been dismissed by the Special Court constituted under the A.P.Land Grabbing (Prohibition) Act on 18.03.2010 and also in view of directions of the Hon'ble High Court Order dated 28.10.2010 in WP No. 22443 of 2010 filed by Sri Ghansi Ram.

13. The Chief Commissioner of Land Administration, AP Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary and
Chief Commissioner of Land Administration,
A.P. Hyderabad.
The Collector – Hyderabad.
(with original record bearing No. R2/3762/2009
NF 10 and pages CF 88 pages)
Copy to:
The Applicant
(thro' Collector – Hyderabad)
The Government Pleader for Revenue (Assn.)
High Court of A.P. Hyderabad.
SF / SC

/ Forwarded :: By Order /

SECTION OFFICER